

Exhibit 21

Page 1

Thomas A. Behnke

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

IN RE:) Case No:08:13555
LEHMAN BROTHERS HOLDINGS, INC.,) (SCC)
et al)) Ref Docket Nos:
) 4271, 4349
)
----- X

DATE: January 11, 2016

TIME: 9:30 a.m.

DEPOSITION OF THOMAS A. BEHNKE, held
at the offices of Weil Gotshal & Manges, LLP, 767
Fifth Avenue, New York, New York, pursuant to
Notice, before Hope Menaker, a Shorthand Reporter
and Notary Public of the State of New York.

Thomas A. Behnke

1
2 APP E A R A N C E S

3 WEIL GOTSHAL & MANGES, LLP

4 Attorneys for Lehman Brothers Holdings, Inc.

5 767 Fifth Avenue

6 New York, New York 10153-0119

7 BY: MAURICE HORWITZ, ESQ.

DENISE ALVAREZ, ESQ.

8

9 HOGAN LOVELLS, LLP

10 Attorneys for Dr. Thomas Marsoner

11 875 Third Avenue

12 New York, New York 10022

13 BY: M. SHANE JOHNSON, ESQ.

PIETER VAN TOL, ESQ.

14

15

16

17

18

19

20

21

22

23

24

25

1 Thomas A. Behnke

2 A. I have no reason to dispute that it
3 was an invoice sent to Lehman Brothers Europe
4 Limited which is the party to this contract.

5 Q. So isn't it true that the Debtors did
6 have access to an agreement between Dr. Marsoner
7 and LBEL?

8 A. No, I can't say it is true, but if
9 you say that this was produced by us --

10 Q. Yes, that is what I have said; that
11 it was produced by your counsel in this
12 proceeding.

13 A. Then I guess they had access to this
14 in an e-mail form.

15 Q. Thank you.

16 If we could look at Paragraph 6 of
17 your declaration, it says, "Since the commencement
18 of LBCC's Chapter 11 case, Marsoner has never
19 contacted LBCC with respect to an executory
20 contract, the trade confirm or any other contract
21 or transactions."

22 Do you see where it says that?

23 A. That's correct.

24 Q. I think you testified earlier you
25 don't have personal knowledge of the mailing of